

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF
Kawano Major Subdivision (8 lots), TM5401, ER# 04-08-036

March 10, 2009

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion: Based on an analysis of the County's Geographic Information System (GIS) records, the County's Comprehensive Matrix of Sensitive Species, site photos, and a site visit by Megan Hamilton on October 16, 2005, and a Biological Resources Letter Report dated April 2, 2005 prepared by Bill Everett, Everett and Associates, County staff biologist, Megan Hamilton, has determined that no native vegetation communities or habitats exist on or adjacent to the site because it has been completely disturbed.

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion: The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion: The project will obtain its water supply from the Vista Irrigation Water District which obtains water from surface reservoirs and/or imported sources. The

project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Steep Slope section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Wetland and Wetland Buffers:

Yes --- County staff biologist, Megan Hamilton, conducted a site visit on October 16, 2005 and reviewed a Biological Letter Report dated April 2, 2005 prepared by Bill Everett, Everett and Associates, for the project. As a result, staff has determined that the proposed project site does not contain any riparian habitat or other sensitive natural communities as defined by the County of San Diego Resource Protection Ordinance (RPO). In addition, no riparian habitat or other sensitive natural community has been identified within or adjacent to the area proposed for off-site impacts resulting from road improvements, utility extensions, etc.

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe:

Yes --- A portion of the project (Buena Creek Road) lies within the floodplain fringe area of the Buena Creek. As mitigation for 100-year inundation impacts and access restrictions to the proposed project, Buena Creek road as currently shown on the Tentative Map and Preliminary Grading Plan will be part of conditions prior to Final Map. The project will also be conditioned to show lines of inundation from the 100-year flood for the ultimate Buena Creek that flows through the property.

Steep Slopes:

Yes --- Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. The project is in conformance with the RPO.

Sensitive Habitats:

Staff biologist Megan Hamilton conducted an analysis of the project based upon the County's Geographic Information System (GIS) records, the County's Comprehensive Matrix of Sensitive Species, site photos, a Biological Letter Report dated April 2, 2005 prepared for the project by Bill Everett, Everett and Associates, and a site visit by Megan Hamilton, on October 16, 2005. Based on this analysis, staff biologist Megan Hamilton has determined that the site has been completely disturbed and contains no native vegetation or habitats.

Significant Prehistoric and Historic Sites:

Yes --- Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs by County of San Diego staff archaeologist, Gail Wright, it has been determined that the project site does not contain any archaeological resources.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES
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NO
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NOT APPLICABLE
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Discussion: The project submitted a Stormwater Management Plan (SWMP) prepared by Construction Testing and Engineering Inc. dated Feb. 25, 2009, which identifies potential construction and post-construction pollutants that may result from the project and also identifies best management practices (BMPs) to address the pollutants. As such the project is not anticipated to result in any substantial increase in polluted runoff or any significant adverse effects to water quality. The SWMP received for the project has been approved by DPW and it has been found that the project will reduce adverse effects to water quality to the maximum extent practicable and as such complies with the requirements of the WPO.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES
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NO
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NOT APPLICABLE
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Discussion: Even though the proposal could expose people to potentially significant noise levels (i.e., in excess of the County General Plan or Noise Ordinance), noise mitigation measures are proposed to reduce the noise impacts to applicable limits including a Noise Protection Easement over those portions of the project that fall within noise contours, a subsequent acoustical analysis, and sound walls on affected parcels.